

## **Exhibit A - Notice Letter**



July 15, 2014

110 East 59th Street  
New York, NY 10022

**Via Certified Mail**

Jason Robins  
Co-founder and CEO  
DraftKings, Inc.  
225 Franklin Street  
26<sup>th</sup> Floor  
Boston, Massachusetts 02110

Dear Mr. Robins,

Re: Request to Commence Licensing Discussions; Notice of Patent Infringement

Cantor Fitzgerald, L.P. and its affiliates comprise one of the premier global financial services firms. Today, Cantor is a preeminent capital markets investment bank, recognized for its strengths in the equity and fixed income capital markets, its global distribution model, and its expanding presence as the leading independent middle market investment bank, providing the marketplace with services in investment banking, prime brokerage and commercial real estate financing. Cantor's portfolio of businesses includes initiatives in real estate, prime brokerage, insurance, and many other industries and ventures. Cantor operates trading desks in every major financial center in the world, with offices in over 30 locations worldwide and approximately 1,600 employees.

Cantor Fitzgerald, L.P. and its affiliates are collectively the owner of over two thousand patent assets, with applications in various technology areas. Relevant to our future discussions with your company, Cantor holds the premier patent portfolio relating to fantasy sports including, but not limited to, fantasy sports websites and the delivery and creation of fantasy sports related services, applications and platforms. The patent portfolio discloses a wide range of systems, features, apparatuses, methods, and otherwise, relating to the above.

I am writing you because Cantor would like to commence discussions with DraftKings regarding the rationale and terms of a patent license to the Cantor fantasy sports patent portfolio. Our analysis reveals that DraftKings is offering a variety of products and services that infringe Cantor patents. The following is an exemplary list of infringed Cantor patents by DraftKings through its online platform as well as mobile application, both through [www.draftkings.com](http://www.draftkings.com), but please consider that they are part of a much larger portfolio:

U.S. Patent or Publication Number	Representative Claims Infringed	Infringing Product and/or Feature
6,884,166	24, 1, 39	Head-to-Head contests subject to an entry fee
6,887,151	34, 1, 20	Daily fantasy contests subject to an entry fee
6,899,628	13	Daily fantasy contests subject to an entry fee
7,029,394	30	Daily fantasy contests subject to an entry fee

7,534,169	1	Qualifier and steps tournament contests
8,142,283	1	Daily fantasy contests
8,342,924	11, 16	Daily fantasy contests
8,512,129	1	Daily fantasy contests subject to an entry fee
8,613,658	1	Qualifier and steps tournament contests
8,641,511	16	Daily fantasy contests subject to an entry fee
RE39,818	33	Daily fantasy play
2013-0282551 A1	1, 5	Daily fantasy contests

The majority of the patent families referenced herein maintain open applications and continuations. Cantor will continue to prosecute the same with the intention to receive additional claims maintaining the original priority.

We are interested in reaching a negotiated non-litigation licensing arrangement with DraftKings for the Cantor patents referenced herein, and would like to commence a near term discussion with you to address this matter. In the course of such discussions, under appropriate nondisclosure conditions, we will provide you with details of our infringement and royalty analysis. We look forward to finalizing a mutually beneficial arrangement with your company regarding our fantasy related intellectual property rights. Upon receipt of this letter, please contact me with a proposed date and time for a call or meeting.

I look forward to hearing from you and thank you for your consideration of these matters.

Sincerely,



Andrew T. Ramer  
 Managing Director Intellectual Property Division  
 Cantor Fitzgerald, L.P.  
[aramer@cantor.com](mailto:aramer@cantor.com)  
 (212) 829-4750

cc: Ryan Moore

#### Notice

Cantor Fitzgerald, L.P. and its affiliates reserve all rights with regard to the patents referenced herein, including the rights to, at any time and without notice: (1) seek damages for any period within the last six years during which your company made use of Cantor's patented technology in your products; (2) change its royalty rates; and (3) change its licensing program, including variance to conform to applicable laws. No communication from or lack of communication with Cantor Fitzgerald, L.P., its affiliates, agents or representatives shall serve as a notice of relinquishment of any of its or their rights.